

1 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
2 26(a). Because no pre-discovery disclosures have been made, NTC USA is under no obligation
3 whatsoever to respond. NTC USA further objects to Request for Admission No. 19 as seeking
4 irrelevant to any claim or defense at issue in this case, including but not limited to jurisdiction and
5 convenience. Subject to the foregoing objections, NTC USA will supplement and respond to the
6 relevant subject matter, if any, called for by Request for Admission No. 19 seasonably after FMA
7 serves its Local Rule 26.2 pre-discovery disclosures.
8

9 **REQUEST FOR ADMISSION NO. 20:**

10 Admit that prior to engaging Guam counsel to file *Nanya Tech. Corp. v. Fujitsu Limited*, No.
11 06-CV-00025 in the District of Guam, Nanya USA had not appointed an agent in Guam for service of
12 process.
13

14 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 20:**

15 NTC USA objects to Request for Admission No. 20 as premature. FMA has not served pre-
16 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
17 26(a). Because no pre-discovery disclosures have been made, NTC USA is under no obligation
18 whatsoever to respond. NTC USA further objects to Request for Admission No. 20 as seeking
19 irrelevant to any claim or defense at issue in this case, including but not limited to jurisdiction and
20 convenience. Subject to the foregoing objections, NTC USA will supplement and respond to the
21 relevant subject matter, if any, called for by Request for Admission No. 20 seasonably after FMA
22 serves its Local Rule 26.2 pre-discovery disclosures.
23

24 **REQUEST FOR ADMISSION NO. 21:**

25 Admit that prior to engaging Guam counsel to file *Nanya Tech. Corp. v. Fujitsu Limited*, No.
26 06-CV-00025 in the District of Guam, Nanya USA had not negotiated any agreements in Guam
27 concerning the subject matter of this action.
28

OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 21:

NTC USA objects to Request for Admission No. 21 as premature. FMA has not served pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure 26(a). Because no pre-discovery disclosures have been made, NTC USA is under no obligation whatsoever to respond. NTC USA further objects to Request for Admission No. 21 as seeking irrelevant to any claim or defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the foregoing objections, NTC USA will supplement and respond to the relevant subject matter, if any, called for by Request for Admission No. 21 seasonably after FMA serves its Local Rule 26.2 pre-discovery disclosures.

REQUEST FOR ADMISSION NO. 22:

Admit that prior to engaging Guam counsel to file *Nanya Tech. Corp. v. Fujitsu Limited*, No. 06-CV-00025 in the District of Guam, Nanya USA had not executed any agreements in Guam concerning the subject matter of this action.

OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 22:

NTC USA objects to Request for Admission No. 22 as premature. FMA has not served pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure 26(a). Because no pre-discovery disclosures have been made, NTC USA is under no obligation whatsoever to respond. NTC USA further objects to Request for Admission No. 22 as seeking irrelevant to any claim or defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the foregoing objections, NTC USA will supplement and respond to the relevant subject matter, if any, called for by Request for Admission No. 22 seasonably after FMA serves its Local Rule 26.2 pre-discovery disclosures.

REQUEST FOR ADMISSION NO. 23:

Admit that prior to engaging Guam counsel to file *Nanya Tech. Corp. v. Fujitsu Limited*, No.

1 06-CV-00025 in the District of Guam, Nanya USA had not executed any agreements that called for
2 Nanya's performance in Guam concerning the subject matter of this action.

3 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 23:**

4 NTC USA objects to Request for Admission No. 23 as premature. FMA has not served pre-
5 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
6 26(a). Because no pre-discovery disclosures have been made, NTC USA is under no obligation
7 whatsoever to respond. NTC USA further objects to Request for Admission No. 23 as seeking
8 irrelevant to any claim or defense at issue in this case, including but not limited to jurisdiction and
9 convenience. Subject to the foregoing objections, NTC USA will supplement and respond to the
10 relevant subject matter, if any, called for by Request for Admission No. 23 seasonably after FMA
11 serves its Local Rule 26.2 pre-discovery disclosures.
12

13 **REQUEST FOR ADMISSION NO. 24:**

14 Admit that prior to engaging Guam counsel to file *Nanya Tech. Corp. v. Fujitsu Limited*, No.
15 06-CV-00025 in the District of Guam, Nanya USA had no correspondence with Fujitsu in Guam.
16

17 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 24:**

18 NTC USA objects to Request for Admission No. 24 as premature. FMA has not served pre-
19 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
20 26(a). Because no pre-discovery disclosures have been made, NTC USA is under no obligation
21 whatsoever to respond. NTC USA further objects to Request for Admission No. 24 as seeking
22 irrelevant to any claim or defense at issue in this case, including but not limited to jurisdiction and
23 convenience. Subject to the foregoing objections, NTC USA will supplement and respond to the
24 relevant subject matter, if any, called for by Request for Admission No. 24 seasonably after FMA
25 serves its Local Rule 26.2 pre-discovery disclosures.
26
27
28

1 **REQUEST FOR ADMISSION NO. 25:**

2 Admit that prior to engaging Guam counsel to file *Nanya Tech. Corp. v. Fujitsu Limited*, No.
3 06-CV-00025 in the District of Guam, Nanya USA had no correspondence with FMA in Guam.

4 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 25:**

5 NTC USA objects to Request for Admission No. 25 as premature. FMA has not served pre-
6 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
7 26(a). Because no pre-discovery disclosures have been made, NTC USA is under no obligation
8 whatsoever to respond. NTC USA further objects to Request for Admission No. 25 as seeking
9 irrelevant to any claim or defense at issue in this case, including but not limited to jurisdiction and
10 convenience. Subject to the foregoing objections, NTC USA will supplement and respond to the
11 relevant subject matter, if any, called for by Request for Admission No. 25 seasonably after FMA
12 serves its Local Rule 26.2 pre-discovery disclosures.
13
14

15 **REQUEST FOR ADMISSION NO. 26:**

16 Admit that prior to engaging Guam counsel to file *Nanya Tech. Corp. v. Fujitsu Limited*, No.
17 06-CV-00025 in the District of Guam, Nanya USA had no correspondence with Fujitsu relating to any
18 business in Guam.

19 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 26:**

20 NTC USA objects to Request for Admission No. 26 as premature. FMA has not served pre-
21 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
22 26(a). Because no pre-discovery disclosures have been made, NTC USA is under no obligation
23 whatsoever to respond. NTC USA further objects to Request for Admission No. 26 as seeking
24 irrelevant to any claim or defense at issue in this case, including but not limited to jurisdiction and
25 convenience. Subject to the foregoing objections, NTC USA will supplement and respond to the
26 relevant subject matter, if any, called for by Request for Admission No. 26 seasonably after FMA
27
28

1 serves its Local Rule 26.2 pre-discovery disclosures.

2 **REQUEST FOR ADMISSION NO. 27:**

3 Admit that prior to engaging Guam counsel to file *Nanya Tech. Corp. v. Fujitsu Limited*, No.
4 06-CV-00025 in the District of Guam, Nanya USA had no correspondence with FMA relating to any
5 business in Guam.

6 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 27:**

7
8 NTC USA objects to Request for Admission No. 27 as premature. FMA has not served pre-
9 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
10 26(a). Because no pre-discovery disclosures have been made, NTC USA is under no obligation
11 whatsoever to respond. NTC USA further objects to Request for Admission No. 27 as seeking
12 irrelevant to any claim or defense at issue in this case, including but not limited to jurisdiction and
13 convenience. Subject to the foregoing objections, NTC USA will supplement and respond to the
14 relevant subject matter, if any, called for by Request for Admission No. 27 seasonably after FMA
15 serves its Local Rule 26.2 pre-discovery disclosures.

16
17 **REQUEST FOR ADMISSION NO. 28:**

18 Admit that Nanya USA does not file a tax return in Guam.

19 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 28:**

20
21 NTC USA objects to Request for Admission No. 28 as premature. FMA has not served pre-
22 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
23 26(a). Because no pre-discovery disclosures have been made, NTC USA is under no obligation
24 whatsoever to respond. NTC USA further objects to Request for Admission No. 28 as seeking
25 irrelevant to any claim or defense at issue in this case, including but not limited to jurisdiction and
26 convenience. Subject to the foregoing objections, NTC USA will supplement and respond to the
27 relevant subject matter, if any, called for by Request for Admission No. 28 seasonably after FMA
28

1 serves its Local Rule 26.2 pre-discovery disclosures.

2 **REQUEST FOR ADMISSION NO. 29:**

3 Admit that Nanya USA does not distribute any products concerning the subject matter of this
4 action in Guam.

5
6 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 29:**

7 NTC USA objects to Request for Admission No. 29 as premature. FMA has not served pre-
8 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
9 26(a). Because no pre-discovery disclosures have been made, NTC USA is under no obligation
10 whatsoever to respond. NTC USA further objects to Request for Admission No. 29 as seeking
11 irrelevant to any claim or defense at issue in this case, including but not limited to jurisdiction and
12 convenience. Subject to the foregoing objections, NTC USA will supplement and respond to the
13 relevant subject matter, if any, called for by Request for Admission No. 29 seasonably after FMA
14 serves its Local Rule 26.2 pre-discovery disclosures.
15

16 **REQUEST FOR ADMISSION NO. 30:**

17 Admit that Nanya USA Accused Products are offered for sale in the Northern District of
18 California.

19 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 30:**

20 NTC USA objects to Request for Admission No. 30 as premature. FMA has not served pre-
21 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
22 26(a). Because no pre-discovery disclosures have been made, NTC USA is under no obligation
23 whatsoever to respond. NTC USA further objects to Request for Admission No. 30 as seeking
24 irrelevant to any claim or defense at issue in this case, including but not limited to jurisdiction and
25 convenience. Subject to the foregoing objections, NTC USA will supplement and respond to the
26 relevant subject matter, if any, called for by Request for Admission No. 30 seasonably after FMA
27
28

1 serves its Local Rule 26.2 pre-discovery disclosures.

2 **REQUEST FOR ADMISSION NO. 31:**

3 Admit that Nanya USA Accused Products are sold in the Northern District of California.

4 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 31:**

5
6 NTC USA objects to Request for Admission No. 31 as premature. FMA has not served pre-
7 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
8 26(a). Because no pre-discovery disclosures have been made, NTC USA is under no obligation
9 whatsoever to respond. NTC USA further objects to Request for Admission No. 31 as seeking
10 irrelevant to any claim or defense at issue in this case, including but not limited to jurisdiction and
11 convenience. Subject to the foregoing objections, NTC USA will supplement and respond to the
12 relevant subject matter, if any, called for by Request for Admission No. 31 seasonably after FMA
13 serves its Local Rule 26.2 pre-discovery disclosures.
14

15 **REQUEST FOR ADMISSION NO. 32:**

16 Admit that Nanya USA Accused Products are imported into the Northern District of California.

17 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 32:**

18 NTC USA objects to Request for Admission No. 32 as premature. FMA has not served pre-
19 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
20 26(a). Because no pre-discovery disclosures have been made, NTC USA is under no obligation
21 whatsoever to respond. NTC USA further objects to Request for Admission No. 32 as seeking
22 irrelevant to any claim or defense at issue in this case, including but not limited to jurisdiction and
23 convenience. Subject to the foregoing objections, NTC USA will supplement and respond to the
24 relevant subject matter, if any, called for by Request for Admission No. 32 seasonably after FMA
25 serves its Local Rule 26.2 pre-discovery disclosures.
26
27
28

1 **REQUEST FOR ADMISSION NO. 33:**

2 Admit that Nanya USA obtains revenue from Nanya Accused Products sold within the
3 Northern District of California.

4 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 33:**

5
6 NTC USA objects to Request for Admission No. 33 as premature. FMA has not served pre-
7 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
8 26(a). Because no pre-discovery disclosures have been made, NTC USA is under no obligation
9 whatsoever to respond. NTC USA further objects to Request for Admission No. 33 as seeking
10 irrelevant to any claim or defense at issue in this case, including but not limited to jurisdiction and
11 convenience. Subject to the foregoing objections, NTC USA will supplement and respond to the
12 relevant subject matter, if any, called for by Request for Admission No. 33 seasonably after FMA
13 serves its Local Rule 26.2 pre-discovery disclosures.
14

15 **REQUEST FOR ADMISSION NO. 34:**

16 Admit that the United States District Court for the Northern District of California has personal
17 jurisdiction over Nanya USA.

18 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 34:**

19
20 NTC USA objects to Request for Admission No. 34 as premature. FMA has not served pre-
21 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
22 26(a). Because no pre-discovery disclosures have been made, NTC USA is under no obligation
23 whatsoever to respond. NTC USA further objects to Request for Admission No. 34 as seeking
24 irrelevant to any claim or defense at issue in this case, including but not limited to jurisdiction and
25 convenience. NTC USA further objects to Request for Admission No. 34 as not seeking facts, but a
26 legal conclusion for a court to decide. Subject to the foregoing objections, NTC USA will supplement
27 and respond to the relevant subject matter, if any, called for by Request for Admission No. 24
28

1 seasonably after FMA serves its Local Rule 26.2 pre-discovery disclosures.

2
3 Dated: April 23, 2007

SHORE CHAN BRAGALONE LLP

4
5 By: /s/ Alfonso Garcia Chan
6 ALFONSO GARCIA CHAN, ESQ.
(admitted *pro hac vice*)

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Nanya Technology Corp. U.S.A.
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on the following counsel of record via electronic mail and confirmatory first class mail on April 23, 2007:

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UNITED STATES DISTRICT COURT

DISTRICT OF GUAM

NANYA TECHNOLOGY CORP. and
NANYA TECHNOLOGY CORP. U.S.A.,

Plaintiffs,

v.

FUJITSU LIMITED and FUJITSU
MICROELECTRONICS AMERICA, INC.,

Defendants.

Case No. CV-06-00025

**PLAINTIFFS' OBJECTIONS AND
RESPONSES TO FUJITSU
MICROELECTRONICS AMERICA,
INC.'S FIRST SET OF REQUESTS FOR
PRODUCTION (NOS. 1-29)**

1 Pursuant to the Federal Rules of Civil Procedure and the Local Civil Rules of this Court,
2 Plaintiff Nanya Technology Corp. and Nanya Technology Corp. U.S.A. (collectively "Nanya" or
3 "Plaintiffs") hereby serve the following Responses and Objections to Requests for Production upon
4 Defendant Fujitsu Microelectronics America, Inc. ("FMA"). Nanya hereby reserves the right
5 supplement all responses to these requests in accordance with Federal Rules of Civil Procedure 26(e).
6

7 **OBJECTIONS TO DEFINITIONS AND INSTRUCTIONS**

8 1. Nanya objects to the definitions of "Nanya," "you" and "your" to the extent that they
9 encompass "all predecessor or successor companies or corporations" that are not currently part of
10 Nanya, to the extent they encompass "present ... investigators, accountants, consultants, attorneys,
11 other representatives, or any other persons acting or purporting to act on behalf of any of them" who
12 are not part of Nanya to the extent they encompass "consultants" otherwise protected by the consulting
13 expert privilege, to the extent they encompass "attorneys" otherwise protected by the attorney client
14 and/or work product privileges, and to the extent they encompass "former offices, directors,
15 employees, agents, investigators, accountants, consultants, attorneys, other representatives, or any
16 other persons acting or purporting to act on behalf of any of them" that are not currently part of Nanya.
17

18 2. Nanya objects to the definition of "document" to the extent it purports to cover subject
19 matter in excess of Federal Rule of Civil Procedure 34.
20

21 3. Nanya objects to the definition of "electronically stored information" to the extent it
22 purports to cover subject matter in excess of Federal Rule of Civil Procedure 34.

23 4. Nanya objects to the definition of "identify" to the extent it calls for a response in
24 excess of the minimum requirements of Federal Rule of Civil Procedure 34.

25 5. Nanya objects to the Instructions generally to the extent they call for a response in
26 excess of the minimum requirements of Federal Rule of Civil Procedure 34.

27 6. Nanya objects to Instruction No. 3 to the extent it recites privilege log requirements in
28

1 excess of the requirements called for by this Court, Ninth Circuit precedent, and the Federal Rules of
2 Civil Procedure.

3 7. Nanya objects to Instruction No. 9 as it is the FMA's burden, not Nanya's burden, to
4 propound reasonably clear and understandable discovery requests.

5 8. Nanya objects to Footnote No. 1 and Defendants' attempted disclaimer that they are not
6 substantively participating in the present lawsuit in Guam.

7
8 **RESPONSES AND OBJECTIONS TO FMA'S PRODUCTION**

9 Subject to the foregoing objections, Nanya further objects and responds as follows:

10 **REQUEST FOR PRODUCTION NO. 1:**

11 All documents, electronically stored information, and things demonstrating, showing or
12 otherwise relating to the allegation that Fujitsu Limited owns and/or controls the following entities:

- 13 (a) Fujitsu Computing Products of America;
14 (b) Fujitsu General New Zealand Limited;
15 (c) Fujitsu Ten; and
16 (d) Any other person or company you believe is a subsidiary or affiliate of Fujitsu Limited, whose
17 conduct or actions are relevant to personal jurisdiction over Fujitsu Limited in this proceeding.
18

19 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 1:**

20 Plaintiffs object to Request for Production No. 1 as premature. Neither Defendant has served
21 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
22 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
23 obligation whatsoever to respond.
24

25 Plaintiffs object to Request for Production No. 1 because it seeks information regarding the
26 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
27 Plaintiffs' counsel, and Plaintiffs' Response in Opposition to Fujitsu Microelectronics America, Inc.'s
28

1 Motion to Dismiss or Transfer to the Northern District of California and for a More Definite Statement
2 ("Plaintiffs' Response"), which is still being prepared by Plaintiffs' counsel and has not yet been filed.
3 Such information is protected by the work product privilege and doctrine.

4 Plaintiffs object to Request for Production No. 1 as premature because it seeks information that
5 is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not
6 due until May 15, 2007.

8 Plaintiffs object to Request for Production No. 1 because it calls for the product of
9 jurisdictional discovery that Defendants have yet to fully yield.

10 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
11 for Production No. 1 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on May
12 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
13 seasonably after Defendants yield all requested jurisdictional discovery.

14
15 **REQUEST FOR PRODUCTION NO. 2:**

16 All purchase orders, receipts, bills of lading, and other documents, electronically stored
17 information, and things demonstrating, showing or otherwise relating to products manufactured, sold
18 or distributed by Fujitsu Limited, its alleged subsidiaries, or its alleged affiliates in the Territory of
19 Guam.

20
21 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 2:**

22 Plaintiffs object to Request for Production No. 2 as premature. Neither Defendant has served
23 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
24 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
25 obligation whatsoever to respond.

26 Plaintiffs object to Request for Production No. 2 because it seeks information regarding the
27 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
28

1 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
2 not yet been filed. Such information is protected by the work product privilege and doctrine.

3 Plaintiffs object to Request for Production No. 2 as premature because it seeks information that
4 is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not
5 due until May 15, 2007.

6
7 Plaintiffs object to Request for Production No. 2 because it calls for the product of
8 jurisdictional discovery that Defendants have yet to fully yield.

9 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
10 for Production No. 2 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on May
11 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
12 seasonably after Defendants yield all requested jurisdictional discovery.

13
14 **REQUEST FOR PRODUCTION NO. 3:**

15 All purchase orders, receipts, bills of lading and other documents, electronically stored
16 information, and things demonstrating, showing or otherwise relating to your allegations that products
17 manufactured or distributed by Fujitsu Limited, its alleged subsidiaries, or its alleged affiliates have
18 been sold or offered for sale in the Territory of Guam, whether alone or combined with other products.

19
20 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 3:**

21 Plaintiffs object to Request for Production No. 3 as premature. Neither Defendant has served
22 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
23 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
24 obligation whatsoever to respond.

25 Plaintiffs object to Request for Production No. 3 because it seeks information regarding the
26 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
27 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
28

1 not yet been filed. Such information is protected by the work product privilege and doctrine.

2 Plaintiffs object to Request for Production No. 3 as premature because it seeks information that
3 is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not
4 due until May 15, 2007.

5 Plaintiffs object to Request for Production No. 3 because it calls for the product of
6 jurisdictional discovery that Defendants have yet to fully yield.

7 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
8 for Production No. 3 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on May
9 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
10 seasonably after Defendants yield all requested jurisdictional discovery.
11

12 **REQUEST FOR PRODUCTION NO. 4:**

13 All documents, electronically stored information, and things demonstrating, showing or
14 otherwise relating to your allegation in Paragraph 12 of your First Amended Complaint that Fujitsu
15 Limited and FMA "each have sufficient contacts with the forum to satisfy federal personal jurisdiction
16 requirements.
17

18 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 4:**

19 Plaintiffs object to Request for Production No. 4 as premature. Neither Defendant has served
20 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
21 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
22 obligation whatsoever to respond.
23

24 Plaintiffs object to Request for Production No. 4 because it seeks information regarding the
25 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
26 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
27 not yet been filed. Such information is protected by the work product privilege and doctrine.
28

1 Plaintiffs object to Request for Production No. 4 as premature because it seeks information that
2 is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not
3 due until May 15, 2007.

4 Plaintiffs object to Request for Production No. 4 because it calls for the product of
5 jurisdictional discovery that Defendants have yet to fully yield.

6
7 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
8 for Production No. 4 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on May
9 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
10 seasonably after Defendants yield all requested jurisdictional discovery.

11 **REQUEST FOR PRODUCTION NO. 5:**

12 All documents, electronically stored information, and things demonstrating, showing or
13 otherwise relating to your allegation in Paragraph 15 of your First Amended Complaint that allegedly
14 anticompetitive acts have artificially increased the cost of DDR SDRAM chips in the United States and
15 its territories, including the Territory of Guam.

16
17 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 5:**

18 Plaintiffs object to Request for Production No. 5 as premature. Neither Defendant has served
19 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
20 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
21 obligation whatsoever to respond.

22
23 Plaintiffs object to Request for Production No. 5 because it seeks information regarding the
24 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
25 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
26 not yet been filed. Such information is protected by the work product privilege and doctrine.

27
28 Plaintiffs object to Request for Production No. 5 as premature because it seeks information that

1 is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not
2 due until May 15, 2007.

3 Plaintiffs object to Request for Production No. 5 because it calls for the product of
4 jurisdictional discovery that Defendants have yet to fully yield.

5 Plaintiffs object to Request for Production No. 5 because it calls for the subject matter of expert
6 disclosures that are not yet due.

7 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
8 for Production No. 5 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on May
9 15, 2007 (concurrent with the filing of Plaintiffs' Response) or when expert disclosures are due, and
10 will supplement this response seasonably after Defendants yield all requested jurisdictional discovery.
11

12 **REQUEST FOR PRODUCTION NO. 6:**

13 All purchase orders, receipts, bills of lading, and other documents, electronically stored
14 information, and things demonstrating, showing or otherwise relating to your allegation in Paragraph
15 16 of your First Amended Complaint that Fujitsu Limited, its alleged subsidiaries, or its alleged
16 affiliates distribute Accused Fujitsu Products in the Territory of Guam.
17

18 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 6:**

19 Plaintiffs object to Request for Production No. 6 as premature. Neither Defendant has served
20 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
21 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
22 obligation whatsoever to respond.
23

24 Plaintiffs object to Request for Production No. 6 because it seeks information regarding the
25 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
26 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
27 not yet been filed. Such information is protected by the work product privilege and doctrine.
28

1 Plaintiffs object to Request for Production No. 6 as premature because it seeks information that
2 is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not
3 due until May 15, 2007.

4 Plaintiffs object to Request for Production No. 6 because it calls for the product of
5 jurisdictional discovery that Defendants have yet to fully yield.

6 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
7 for Production No. 6 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on May
8 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
9 seasonably after Defendants yield all requested jurisdictional discovery.
10

11 **REQUEST FOR PRODUCTION NO. 7:**

12 All documents, electronically stored information, and things demonstrating, showing, or
13 otherwise relating to your allegation in Paragraph 17 of your First Amended Complaint that "Fujitsu,
14 Ltd. Its subsidiaries, or its affiliates place" Accused Fujitsu Products "in the stream of commerce with
15 the intention that they would be available to people in the United States and the Territory of Guam."
16

17 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 7:**

18 Plaintiffs object to Request for Production No. 7 as premature. Neither Defendant has served
19 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
20 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
21 obligation whatsoever to respond.
22

23 Plaintiffs object to Request for Production No. 7 because it seeks information regarding the
24 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
25 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
26 not yet been filed. Such information is protected by the work product privilege and doctrine.
27

28 Plaintiffs object to Request for Production No. 7 as premature because it seeks information that

1 is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not
2 due until May 15, 2007.

3 Plaintiffs object to Request for Production No. 7 because it calls for the product of
4 jurisdictional discovery that Defendants have yet to fully yield.

5 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
6 for Production No. 7 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on May
7 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
8 seasonably after Defendants yield all requested jurisdictional discovery.

9
10 **REQUEST FOR PRODUCTION NO. 8:**

11 All documents, electronically stores information, and things demonstrating, showing, or
12 otherwise relating to your allegation in Paragraph 17 of your First Amended Complaint of "products
13 that are placed into the stream of commerce by Fujitsu Ltd., its subsidiaries, or its affiliates."

14
15 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 8:**

16 Plaintiffs object to Request for Production No. 8 as premature. Neither Defendant has served
17 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
18 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
19 obligation whatsoever to respond.

20 Plaintiffs object to Request for Production No. 8 because it seeks information regarding the
21 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
22 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
23 not yet been filed. Such information is protected by the work product privilege and doctrine.

24 Plaintiffs object to Request for Production No. 8 as premature because it seeks information that
25 is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not
26 due until May 15, 2007.
27
28

1 Plaintiffs object to Request for Production No. 8 because it calls for the product of
2 jurisdictional discovery that Defendants have yet to fully yield.

3 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
4 for Production No. 8 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on May
5 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
6 seasonably after Defendants yield all requested jurisdictional discovery.
7

8 **REQUEST FOR PRODUCTION NO. 9:**

9 All documents, electronically stores information, and things demonstrating, showing, or
10 otherwise relating to your allegation in Paragraph 18 of your First Amended Complaint that Accused
11 Fujitsu Products are made "with the intention that they would be used in a significant number of
12 consumer products sold in the United States and the Territory of Guam."
13

14 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 9:**

15 Plaintiffs object to Request for Production No. 9 as premature. Neither Defendant has served
16 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
17 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
18 obligation whatsoever to respond.

19 Plaintiffs object to Request for Production No. 9 because it seeks information regarding the
20 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
21 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
22 not yet been filed. Such information is protected by the work product privilege and doctrine.
23

24 Plaintiffs object to Request for Production No. 9 as premature because it seeks information that
25 is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not
26 due until May 15, 2007.

27 Plaintiffs object to Request for Production No. 9 because it calls for the product of
28

1 jurisdictional discovery that Defendants have yet to fully yield.

2 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
3 for Production No. 9 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on May
4 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
5 seasonably after Defendants yield all requested jurisdictional discovery.
6

7 **REQUEST FOR PRODUCTION NO. 10:**

8 All documents, electronically stored information, and things demonstrating, showing or
9 otherwise relating to your allegation in Paragraph 19 of your First Amended Complaint that Fujitsu
10 Limited "distributes products manufactured by Fujitsu companies to businesses and legal residents of
11 the Territory of Guam."
12

13 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 10:**

14 Plaintiffs object to Request for Production No. 10 as premature. Neither Defendant has served
15 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
16 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
17 obligation whatsoever to respond.

18 Plaintiffs object to Request for Production No. 10 because it seeks information regarding the
19 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
20 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
21 not yet been filed. Such information is protected by the work product privilege and doctrine.
22

23 Plaintiffs object to Request for Production No. 10 as premature because it seeks information
24 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
25 not due until May 15, 2007.

26 Plaintiffs object to Request for Production No. 10 because it calls for the product of
27 jurisdictional discovery that Defendants have yet to fully yield.
28

1 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
2 for Production No. 10 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
3 May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
4 seasonably after Defendants yield all requested jurisdictional discovery.
5

6 **REQUEST FOR PRODUCTION NO. 11:**

7 All documents, electronically stored information, and things demonstrating, showing or
8 otherwise relating to your allegation in Paragraph 20 of your First Amended Complaint that a number
9 of Fujitsu Limited's subsidiary or affiliate companies regularly conduct business in the Territory of
10 Guam, and sell products to people and businesses in the Territory of Guam.
11

12 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 11:**

13 Plaintiffs object to Request for Production No. 11 as premature. Neither Defendant has served
14 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
15 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
16 obligation whatsoever to respond.

17 Plaintiffs object to Request for Production No. 11 because it seeks information regarding the
18 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
19 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
20 not yet been filed. Such information is protected by the work product privilege and doctrine.
21

22 Plaintiffs object to Request for Production No. 11 as premature because it seeks information
23 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
24 not due until May 15, 2007.

25 Plaintiffs object to Request for Production No. 11 because it calls for the product of
26 jurisdictional discovery that Defendants have yet to fully yield.
27

28 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request

1 for Production No. 11 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
2 May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
3 seasonably after Defendants yield all requested jurisdictional discovery.
4

5 **REQUEST FOR PRODUCTION NO. 12:**

6 All documents, electronically stored information, and things relating to or resulting from your
7 Freedom of Information Act requests submitted to the United States Navy and United States Air Force
8 Exchanges in the Territory of Guam.

9 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 12:**

10 Plaintiffs object to Request for Production No. 12 as premature. Neither Defendant has served
11 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
12 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
13 obligation whatsoever to respond.
14

15 Plaintiffs object to Request for Production No. 12 because it seeks information regarding the
16 continuing investigation being conducted by Plaintiffs' counsel and Plaintiffs' Response, which is still
17 being prepared by Plaintiffs' counsel and has not yet been filed. Such information is protected by the
18 work product privilege and doctrine.

19 Plaintiffs object to Request for Production No. 12 as premature because it seeks information
20 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
21 not due until May 15, 2007.
22

23 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
24 for Production No. 12 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
25 May 15, 2007 (concurrent with the filing of Plaintiffs' Response).

26 **REQUEST FOR PRODUCTION NO. 13:**

27 All documents, electronically stored information, and things demonstrating, showing or
28

1 otherwise relating to your allegation in Paragraph 21 of your First Amended Complaint that FMA has
2 or had knowledge that its products would be utilized or contained in a significant number of consumer
3 products sold in the Territory of Guam.

4 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 13:**

5
6 Plaintiffs object to Request for Production No. 13 as premature. Neither Defendant has served
7 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
8 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
9 obligation whatsoever to respond.

10 Plaintiffs object to Request for Production No. 13 because it seeks information regarding the
11 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
12 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
13 not yet been filed. Such information is protected by the work product privilege and doctrine.

14
15 Plaintiffs object to Request for Production No. 13 as premature because it seeks information
16 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
17 not due until May 15, 2007.

18 Plaintiffs object to Request for Production No. 13 because it calls for the product of
19 jurisdictional discovery that Defendants have yet to fully yield.

20
21 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
22 for Production No. 13 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
23 May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
24 seasonably after Defendants yield all requested jurisdictional discovery.

25 **REQUEST FOR PRODUCTION NO. 14:**

26 All documents, electronically stored information, and things demonstrating, showing or
27 otherwise relating to your allegation in Paragraph 21 of your First Amended Complaint that FMA's
28

1 microelectronics are present in “products produced by major manufacturers of consumer electronics
2 and extensively distributed throughout the United States and the Territory of Guam.”

3 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 14:**

4 Plaintiffs object to Request for Production No. 14 as premature. Neither Defendant has served
5 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
6 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
7 obligation whatsoever to respond.
8

9 Plaintiffs object to Request for Production No. 14 because it seeks information regarding the
10 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
11 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
12 not yet been filed. Such information is protected by the work product privilege and doctrine.
13

14 Plaintiffs object to Request for Production No. 14 as premature because it seeks information
15 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
16 not due until May 15, 2007.

17 Plaintiffs object to Request for Production No. 14 because it calls for the product of
18 jurisdictional discovery that Defendants have yet to fully yield.

19 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
20 for Production No. 14 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
21 May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
22 seasonably after Defendants yield all requested jurisdictional discovery.
23

24 **REQUEST FOR PRODUCTION NO. 15:**

25 All documents, electronically stored information, and things demonstrating, showing or
26 otherwise relating to your allegation in Paragraph 22 of your First Amended Complaint that “a
27 substantial number of retail outlets in the Territory of Guam regularly carry and sell consumer products
28

1 containing microelectronics manufactured by FMA.”

2 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 15:**

3 Plaintiffs object to Request for Production No. 15 as premature. Neither Defendant has served
4 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
5 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
6 obligation whatsoever to respond.
7

8 Plaintiffs object to Request for Production No. 15 because it seeks information regarding the
9 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
10 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
11 not yet been filed. Such information is protected by the work product privilege and doctrine.
12

13 Plaintiffs object to Request for Production No. 15 as premature because it seeks information
14 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
15 not due until May 15, 2007.

16 Plaintiffs object to Request for Production No. 15 because it calls for the product of
17 jurisdictional discovery that Defendants have yet to fully yield.

18 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
19 for Production No. 15 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
20 May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
21 seasonably after Defendants yield all requested jurisdictional discovery.
22

23 **REQUEST FOR PRODUCTION NO. 16:**

24 All documents, electronically stored information, and things demonstrating, showing or
25 otherwise relating to your allegation in Paragraph 23 of your First Amended Complaint that “people
26 and businesses in the Territory of Guam can order and purchase electronic products containing
27 microelectronics manufactured by FMA.”
28

OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 16:

Plaintiffs object to Request for Production No. 16 as premature. Neither Defendant has served pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no obligation whatsoever to respond.

Plaintiffs object to Request for Production No. 16 because it seeks information regarding the pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has not yet been filed. Such information is protected by the work product privilege and doctrine.

Plaintiffs object to Request for Production No. 16 as premature because it seeks information that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not due until May 15, 2007.

Plaintiffs object to Request for Production No. 16 because it calls for the product of jurisdictional discovery that Defendants have yet to fully yield.

Subject to the foregoing objections, Plaintiffs will provide information responsive to Request for Production No. 16 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response seasonably after Defendants yield all requested jurisdictional discovery.

REQUEST FOR PRODUCTION NO. 17:

All documents, electronically stored information, and things demonstrating, showing or otherwise relating to your conclusion in Paragraph 3 of your First Amended Complaint that Fujitsu Limited engaged in business in the Territory of Guam.

OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 17:

Plaintiffs object to Request for Production No. 17 as premature. Neither Defendant has served

1 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
2 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
3 obligation whatsoever to respond.

4 Plaintiffs object to Request for Production No. 17 because it seeks information regarding the
5 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
6 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
7 not yet been filed. Such information is protected by the work product privilege and doctrine.

8 Plaintiffs object to Request for Production No. 17 as premature because it seeks information
9 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
10 not due until May 15, 2007.

11 Plaintiffs object to Request for Production No. 17 because it calls for the product of
12 jurisdictional discovery that Defendants have yet to fully yield.

13 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
14 for Production No. 17 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
15 May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
16 seasonably after Defendants yield all requested jurisdictional discovery.

17 **REQUEST FOR PRODUCTION NO. 18:**

18 All documents, electronically stored information, and things demonstrating, showing or
19 otherwise relating to your conclusion in Paragraph 3 of your First Amended Complaint that Fujitsu
20 Limited has systematic and continuous contacts in the Territory of Guam.

21 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 18:**

22 Plaintiffs object to Request for Production No. 18 as premature. Neither Defendant has served
23 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
24 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
25

1 obligation whatsoever to respond.

2 Plaintiffs object to Request for Production No. 18 because it seeks information regarding the
3 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
4 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
5 not yet been filed. Such information is protected by the work product privilege and doctrine.
6

7 Plaintiffs object to Request for Production No. 18 as premature because it seeks information
8 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
9 not due until May 15, 2007.

10 Plaintiffs object to Request for Production No. 18 because it calls for the product of
11 jurisdictional discovery that Defendants have yet to fully yield.
12

13 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
14 for Production No. 18 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
15 May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
16 seasonably after Defendants yield all requested jurisdictional discovery.

17 **REQUEST FOR PRODUCTION NO. 19:**

18 All documents, electronically stored information, and things demonstrating, showing or
19 otherwise relating to your conclusion in Paragraph 3 of your First Amended Complaint that this
20 proceeding arises out of business done in the Territory of Guam.
21

22 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 19:**

23 Plaintiffs object to Request for Production No. 19 as premature. Neither Defendant has served
24 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
25 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
26 obligation whatsoever to respond.

27 Plaintiffs object to Request for Production No. 19 because it seeks information regarding the
28

1 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
2 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
3 not yet been filed. Such information is protected by the work product privilege and doctrine.

4 Plaintiffs object to Request for Production No. 19 as premature because it seeks information
5 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
6 not due until May 15, 2007.

8 Plaintiffs object to Request for Production No. 19 because it calls for the product of
9 jurisdictional discovery that Defendants have yet to fully yield.

10 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
11 for Production No. 19 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
12 May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
13 seasonably after Defendants yield all requested jurisdictional discovery.

14
15 **REQUEST FOR PRODUCTION NO. 20:**

16 All documents, electronically stored information, and things demonstrating, showing or
17 otherwise relating to your conclusion in Paragraph 4 of your First Amended Complaint that FMA
18 engages in business in the Territory of Guam.

19 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 20:**

20 Plaintiffs object to Request for Production No. 20 as premature. Neither Defendant has served
21 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
22 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
23 obligation whatsoever to respond.

25 Plaintiffs object to Request for Production No. 20 because it seeks information regarding the
26 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
27 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
28

1 not yet been filed. Such information is protected by the work product privilege and doctrine.

2 Plaintiffs object to Request for Production No. 20 as premature because it seeks information
3 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
4 not due until May 15, 2007.

5 Plaintiffs object to Request for Production No. 20 because it calls for the product of
6 jurisdictional discovery that Defendants have yet to fully yield.

7 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
8 for Production No. 20 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
9 May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
10 seasonably after Defendants yield all requested jurisdictional discovery.

11 **REQUEST FOR PRODUCTION NO. 21:**

12 All documents, electronically stored information, and things demonstrating, showing or
13 otherwise relating to your conclusion in Paragraph 4 of your First Amended Complaint that FMA has
14 systematic and continuous contacts in the Territory of Guam.

15 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 21:**

16 Plaintiffs object to Request for Production No. 21 as premature. Neither Defendant has served
17 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
18 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
19 obligation whatsoever to respond.

20 Plaintiffs object to Request for Production No. 21 because it seeks information regarding the
21 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
22 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
23 not yet been filed. Such information is protected by the work product privilege and doctrine.

24 Plaintiffs object to Request for Production No. 21 as premature because it seeks information
25
26
27
28

1 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
2 not due until May 15, 2007.

3 Plaintiffs object to Request for Production No. 21 because it calls for the product of
4 jurisdictional discovery that Defendants have yet to fully yield.

5 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
6 for Production No. 21 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
7 May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
8 seasonably after Defendants yield all requested jurisdictional discovery.

9
10 **REQUEST FOR PRODUCTION NO. 22:**

11 All documents, electronically stored information, and things demonstrating, showing or
12 otherwise relating to your conclusion in Paragraph 4 of your First Amended Complaint that this
13 proceeding arises out of business done in the Territory of Guam.

14
15 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 22:**

16 Plaintiffs object to Request for Production No. 22 as premature. Neither Defendant has served
17 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
18 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
19 obligation whatsoever to respond.

20 Plaintiffs object to Request for Production No. 22 because it seeks information regarding the
21 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
22 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
23 not yet been filed. Such information is protected by the work product privilege and doctrine.

24 Plaintiffs object to Request for Production No. 22 as premature because it seeks information
25 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
26 not due until May 15, 2007.
27
28

1 Plaintiffs object to Request for Production No. 22 because it calls for the product of
2 jurisdictional discovery that Defendants have yet to fully yield.

3 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
4 for Production No. 22 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
5 May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
6 seasonably after Defendants yield all requested jurisdictional discovery.
7

8 **REQUEST FOR PRODUCTION NO. 23:**

9 All documents, electronically stored information, and things demonstrating, showing or
10 otherwise relating to your conclusion in Paragraph 19 of your First Amended Complaint that
11 "Defendants transact substantial business of a substantial character within the Territory of Guam."
12

13 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 23:**

14 Plaintiffs object to Request for Production No. 23 as premature. Neither Defendant has served
15 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
16 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
17 obligation whatsoever to respond.

18 Plaintiffs object to Request for Production No. 23 because it seeks information regarding the
19 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
20 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
21 not yet been filed. Such information is protected by the work product privilege and doctrine.
22

23 Plaintiffs object to Request for Production No. 23 as premature because it seeks information
24 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
25 not due until May 15, 2007.

26 Plaintiffs object to Request for Production No. 23 because it calls for the product of
27 jurisdictional discovery that Defendants have yet to fully yield.
28

1 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
2 for Production No. 23 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
3 May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
4 seasonably after Defendants yield all requested jurisdictional discovery.

5
6 **REQUEST FOR PRODUCTION NO. 24:**

7 All documents, electronically stored information, and things demonstrating, showing or
8 otherwise relating to your conclusion in Paragraph 8 of your First Amended Complaint that "each
9 Defendant has sufficient minimum contacts with the forum as a result of" placing products "into the
10 stream of commerce with the intention that they would be available to people in the United States and
11 the Territory of Guam."

12
13 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 24:**

14 Plaintiffs object to Request for Production No. 24 as premature. Neither Defendant has served
15 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
16 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
17 obligation whatsoever to respond.

18 Plaintiffs object to Request for Production No. 24 because it seeks information regarding the
19 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
20 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
21 not yet been filed. Such information is protected by the work product privilege and doctrine.

22
23 Plaintiffs object to Request for Production No. 24 as premature because it seeks information
24 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
25 not due until May 15, 2007.

26 Plaintiffs object to Request for Production No. 24 because it calls for the product of
27 jurisdictional discovery that Defendants have yet to fully yield.
28

1 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
2 for Production No. 24 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
3 May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
4 seasonably after Defendants yield all requested jurisdictional discovery.
5

6 **REQUEST FOR PRODUCTION NO. 25:**

7 All documents, electronically stored information, and things demonstrating, showing or
8 otherwise relating to your conclusion in Paragraph 9 of your First Amended Complaint that "each
9 Defendant has sufficient minimum contacts with the forum as a result of business conducted
10 continuously and systematically within the Territory of Guam."
11

12 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 25:**

13 Plaintiffs object to Request for Production No. 25 as premature. Neither Defendant has served
14 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
15 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
16 obligation whatsoever to respond.

17 Plaintiffs object to Request for Production No. 25 because it seeks information regarding the
18 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
19 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
20 not yet been filed. Such information is protected by the work product privilege and doctrine.
21

22 Plaintiffs object to Request for Production No. 25 as premature because it seeks information
23 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
24 not due until May 15, 2007.

25 Plaintiffs object to Request for Production No. 25 because it calls for the product of
26 jurisdictional discovery that Defendants have yet to fully yield.
27

28 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request

1 for Production No. 25 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
2 May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
3 seasonably after Defendants yield all requested jurisdictional discovery.

4 **REQUEST FOR PRODUCTION NO. 26:**

5 All documents, electronically stored information, and things upon which you rely to support
6 your response to Interrogatory No. 5 in FUJITSU MICROELECTRONICS AMERICAS, INC.'S
7 FIRST SET OF INTERROGATORIES (NOS. 1-6) TO PLAINTIFFS.
8

9 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 26:**

10 Plaintiffs incorporate by reference as if fully set forth herein their objections and responses to
11 Interrogatory No. 5 in FUJITSU MICROELECTRONICS AMERICAS, INC.'S FIRST SET OF
12 INTERROGATORIES (NOS. 1-6) TO PLAINTIFFS.
13

14 Plaintiffs object to Request for Production No. 26 as premature. Neither Defendant has served
15 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
16 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
17 obligation whatsoever to respond.

18 Plaintiffs object to Request for Production No. 26 because it seeks information regarding the
19 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
20 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
21 not yet been filed. Such information is protected by the work product privilege and doctrine.
22

23 Plaintiffs object to Request for Production No. 26 as premature because it seeks information
24 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
25 not due until May 15, 2007.

26 Plaintiffs object to Request for Production No. 26 because it calls for the product of
27 jurisdictional discovery that Defendants have yet to fully yield.
28

1 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
2 for Production No. 26 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
3 May 15, 2007 (concurrent with the filing of Plaintiffs' Response) or after Plaintiffs supplement their
4 objections and responses to Interrogatory No. 5 in FUJITSU MICROELECTRONICS AMERICAS,
5 INC.'S FIRST SET OF INTERROGATORIES (NOS. 1-6) TO PLAINTIFFS, and will supplement this
6 response seasonably after Defendants yield all requested jurisdictional discovery.
7

8 **REQUEST FOR PRODUCTION NO. 27:**

9 All documents, electronically stored information, and things relating to the subject matter of
10 Interrogatory No. 5 in FUJITSU MICROELECTRONICS AMERICAS, INC.'S FIRST SET OF
11 INTERROGATORIES (NOS. 1-6) TO PLAINTIFFS.
12

13 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 27:**

14 Plaintiffs incorporate by reference as if fully set forth herein their objections and responses to
15 Interrogatory No. 5 in FUJITSU MICROELECTRONICS AMERICAS, INC.'S FIRST SET OF
16 INTERROGATORIES (NOS. 1-6) TO PLAINTIFFS.

17 Plaintiffs object to Request for Production No. 27 as premature. Neither Defendant has served
18 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
19 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
20 obligation whatsoever to respond.
21

22 Plaintiffs object to Request for Production No. 27 because it seeks information regarding the
23 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
24 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
25 not yet been filed. Such information is protected by the work product privilege and doctrine.
26

27 Plaintiffs object to Request for Production No. 27 as premature because it seeks information
28 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is

1 not due until May 15, 2007.

2 Plaintiffs object to Request for Production No. 27 because it calls for the product of
3 jurisdictional discovery that Defendants have yet to fully yield.

4 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
5 for Production No. 27 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
6 May 15, 2007 (concurrent with the filing of Plaintiffs' Response) or after Plaintiffs supplement their
7 objections and responses to Interrogatory No. 5 in FUJITSU MICROELECTRONICS AMERICAS,
8 INC.'S FIRST SET OF INTERROGATORIES (NOS. 1-6) TO PLAINTIFFS, and will supplement this
9 response seasonably after Defendants yield all requested jurisdictional discovery.
10

11 **REQUEST FOR PRODUCTION NO. 28:**

12 All documents, electronically stored information, and things upon which you rely to support in
13 response to Interrogatory No. 6 in FUJITSU MICROELECTRONICS AMERICAS, INC.'S FIRST
14 SET OF INTERROGATORIES (NOS. 1-6) TO PLAINTIFFS.
15

16 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 28:**

17 Plaintiffs incorporate by reference as if fully set forth herein their objections and responses to
18 Interrogatory No. 6 in FUJITSU MICROELECTRONICS AMERICAS, INC.'S FIRST SET OF
19 INTERROGATORIES (NOS. 1-6) TO PLAINTIFFS.
20

21 Plaintiffs object to Request for Production No. 28 as premature. Neither Defendant has served
22 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
23 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
24 obligation whatsoever to respond.

25 Plaintiffs object to Request for Production No. 28 because it seeks information regarding the
26 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
27 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
28

1 not yet been filed. Such information is protected by the work product privilege and doctrine.

2 Plaintiffs object to Request for Production No. 28 as premature because it seeks information
3 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
4 not due until May 15, 2007.

5 Plaintiffs object to Request for Production No. 28 because it calls for the product of
6 jurisdictional discovery that Defendants have yet to fully yield.

7 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
8 for Production No. 28 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
9 May 15, 2007 (concurrent with the filing of Plaintiffs' Response) or after Plaintiffs supplement their
10 objections and responses to Interrogatory No. 6 in FUJITSU MICROELECTRONICS AMERICAS,
11 INC.'S FIRST SET OF INTERROGATORIES (NOS. 1-6) TO PLAINTIFFS, and will supplement this
12 response seasonably after Defendants yield all requested jurisdictional discovery.

13 **REQUEST FOR PRODUCTION NO. 29:**

14 All documents, electronically stored information, and things related to the subject matter of
15 Interrogatory No. 6 in FUJITSU MICROELECTRONICS AMERICAS, INC.'S FIRST SET OF
16 INTERROGATORIES (NOS. 1-6) TO PLAINTIFFS.

17 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 29:**

18 Plaintiffs incorporate by reference as if fully set forth herein their objections and responses to
19 Interrogatory No. 6 in FUJITSU MICROELECTRONICS AMERICAS, INC.'S FIRST SET OF
20 INTERROGATORIES (NOS. 1-6) TO PLAINTIFFS.

21 Plaintiffs object to Request for Production No. 29 as premature. Neither Defendant has served
22 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
23 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
24 obligation whatsoever to respond.

1 Plaintiffs object to Request for Production No. 29 because it seeks information regarding the
2 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
3 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
4 not yet been filed. Such information is protected by the work product privilege and doctrine.

5
6 Plaintiffs object to Request for Production No. 29 as premature because it seeks information
7 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
8 not due until May 15, 2007.

9 Plaintiffs object to Request for Production No. 29 because it calls for the product of
10 jurisdictional discovery that Defendants have yet to fully yield.

11 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
12 for Production No. 29 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
13 May 15, 2007 (concurrent with the filing of Plaintiffs' Response) or after Plaintiffs supplement their
14 objections and responses to Interrogatory No. 6 in FUJITSU MICROELECTRONICS AMERICAS,
15 INC.'S FIRST SET OF INTERROGATORIES (NOS. 1-6) TO PLAINTIFFS, and will supplement this
16 response seasonably after Defendants yield all requested jurisdictional discovery.
17

18
19 Dated: April 23, 2007

SHORE CHAN BRAGALONE LLP

20
21 By: /s/ Alfonso Garcia Chan
22 ALFONSO GARCIA CHAN, ESQ.
(admitted *pro hac vice*)

23 ATTORNEYS FOR PLAINTIFFS
24 Nanya Technology Corp. and
25 Nanya Technology Corp. U.S.A.
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on the following counsel of record via electronic mail and confirmatory first class mail on April 23, 2007:

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